



NEW HAMPSHIRE LAW LIBRARY

VOTERS' GUIDE

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EXPLAINING THE
AMENDMENT PROPOSED
TO THE CONSTITUTION OF
THE STATE OF NEW HAMPSHIRE
BY THE 1971 SESSION
OF THE GENERAL COURT

AND

— 2 —

THE QUESTION RELATIVE TO
CALLING A
CONSTITUTIONAL CONVENTION

TO THE VOTERS OF NEW HAMPSHIRE:

The legislature appropriated money for the preparation and distribution of this pamphlet to assist and inform the voters so that they can better understand what the proposed amendment to the New Hampshire Constitution will do, and what the background is of the question relative to calling of a constitutional convention. It was prepared at the order of and with the approval of the Chairman of the Senate Finance Committee, Roger A. Smith, and the Speaker of the House, Marshall W. Cobleigh.

Its purpose is to help you, when you vote on November 7, 1972, to understand the proposed amendment to the New Hampshire Constitution which was approved by the Legislature, and the question relative to the constitutional convention.

Roger A. Smith *Marshall Cobleigh*
ROGER A. SMITH MARSHALL W. COBLEIGH
Chairman of the Senate *Speaker of the House*
Finance Committee

PROPOSED AMENDMENT TO THE NEW HAMPSHIRE CONSTITUTION

At the November 7, 1972 Biennial Election you will receive a separate, nonpartisan ballot on which you will be asked to answer one question, which summarizes the amendment proposed by the legislature. You answer by voting Yes or No, as you choose.

QUESTION

Are you in favor of amending the Constitution to provide that the legislature shall meet annually and that each member shall receive mileage payments for attendance at regular sessions for no more than ninety legislative days during the two years for which he is elected?

YES

NO

NOW:

The constitution directs that the legislature meet in January every two years (biennially) and at such other times as it deems necessary.

A second provision limits the number of days and period during which legislators may receive mileage payments for attendance at regular sessions of the legislature to ninety legislative days or July first, whichever occurs first.

In short, the legislature does not currently meet annually because (1) the constitution does not expressly direct it and (2) members cannot be paid mileage allowance for travel to legislative sessions after July first of the first year of their two year terms.

IF THE AMENDMENT IS ADOPTED:

The legislators would still be elected for a two year term but would meet annually.

The limitation that legislators may be paid mileage for only ninety legislative days of regular sessions will be retained, but the July first deadline will be removed, so that they could then use the ninety mileage payments any time during the two year period.

Nothing in the proposed amendments would alter the legislature's power to meet in special session and be paid mileage and per diem for the fifteen days thereof or to be paid mileage for attendance at committee meetings or on other legislative business on nonlegislative days.

PLEASE REMEMBER: In order to amend the Constitution, two-thirds of the people voting on an amendment must vote Yes. A simple majority will not amend the Constitution.

IN CONCLUSION, vote as you please on this proposed amendment, but BE SURE TO VOTE.

QUESTION RELATIVE TO CALLING A CONSTITUTIONAL CONVENTION

The question will be printed at the bottom of the regular election ballot as follows:

Shall there be a convention to amend or revise **YES**
the constitution? **NO**

The New Hampshire Constitution requires that the question of whether or not to hold a constitutional convention shall be voted on by the people no less than once every ten years.

As the last time the question was voted on was in 1962, it had to be put on the ballot at the biennial election on November 7, 1972.

If a majority of the voters who vote on the question vote "Yes" the 1973 legislature will set the time for the election of delegates to the convention and the time for holding the convention and will appropriate the money to pay the delegates and the expenses of the convention.

The delegates will be elected in the same manner and in the same numbers as representatives to the General Court.

Although the question implies that a constitutional convention can itself amend or revise the constitution, it can not do so but, the same as the legislature, can only propose amendments which will not become effective unless at a later election they are adopted by two-thirds of the voters.

IN CONCLUSION, vote as you please on this question, but be sure to vote and remember that a simple majority of those voting on the question is enough to require the calling of the convention.